

Application No.: 09/602,665
Amd. Dated: May 7, 2004
Reply to Office Action of December 8, 2003

PATENT

REMARKS/ARGUMENTS

STATUS OF THE APPLICATION

Prior to this amendment, claims 1-2, and 4-12 were pending in this application. The Examiner rejected all the claims under 35 U.S.C. § 103 as being obvious over Shrader et al, (U.S. Patent No. 5,867,713) in view of Fitzgerald et al. (U.S. Patent No. 5,581,764). In addition, the Examiner objected to the Title of the Invention.

Applicants have amended claims 1, 6-8, 10, and 12. Applicants submit that no new subject matter has been introduced by these amendments. Claims 1-2, and 4-12 remain pending in this application after filing this amendment.

TITLE OF THE INVENTION

The Examiner objected to the title, contending that it is not descriptive and is imprecise. Applicant respectfully disagrees with the Examiner, and therefore, traverses the rejection. For purposes of compact prosecution, however, Applicant has amended the title above. Accordingly, Applicant believes that he now has overcome the Examiner's objection.

THE CLAIMS

Section 103 Rejections

The Examiner has rejected claims 1-2, and 4-12 under 35 U.S.C. § 103 as being obvious over Shrader et al, (U.S. Patent No. 5,867,713) in view of Fitzgerald et al. (U.S. Patent No. 5,581,764). Applicants disagree with the Examiner's rejection, and therefore, traverse the rejection. Applicants respectfully submit the following arguments in support of their position.

With regard to claim 1, Applicant has amended it so that it now recites:

“A method for managing the changing of a network infrastructure, comprising:
opening a change ticket that includes a change plan having instructions about how a change is to be performed;
associating said change ticket with one of a plurality of change categories corresponding to a type of change that is described in the change plan;
providing said change ticket to affected entities for approval, wherein the affected entities comprise at least one entity other than a system administrator; and
implementing said change plan after the affected entities have approved the change ticket;
wherein said affected entities are selected based on, and said change ticket is approved in accordance with, rules related to each of said change categories into which said change ticket was associated.”

Shrader and Fitzgerald do not disclose these limitation, either alone or in combination. In the office action, the Examiner contends that Shrader discloses “opening a change ticket ...; associating said change ticket with one of a plurality of change categories corresponding to a type of change that is described in the change plan; [and] providing the change ticket to affected entities for approval.” This simply is not the case. First, Schrader merely discloses a system for installing applications (*i.e.*, computer programs) on network workstations. Claim 1 is directed to a method for managing change of a network infrastructure, not merely installing computer programs on workstations.

Further, Shrader does not disclose providing the change ticket to affected entities for approval. In the present invention, the affected entities are users of the network infrastructure that may be affected by network infrastructure changes. For example, the affected entities could be end users of computers or workstations, building construction workers whose work might be affected by network equipment installations, network operations personnel that will be affected by equipment shutdowns or new equipment installs, or any other person working in a network environment that might be affected by a change, whether the change be hardware, software or

building related. Neither Shrader nor Fitzgerald disclose obtaining approval from affected entities as recited in claim 1. Shrader merely discloses validating an installation plan object prior to installing software on workstations. This is not the same as obtaining approval from affected entities. Further, to clarify the meaning of affected entities, Applicant has amended claim 1, so that it includes the limitation of: "wherein the affected entities comprise at least one entity other than a system administrator." This added limitation clearly is not disclosed or taught by the cited references.

Finally, claim 1 recites: "wherein said affected entities are selected based on, and said change ticket is approved in accordance with, rules related to each of said change categories into which said change ticket was associated." Again, nowhere does Shrader or Fitzgerald teach affected entities being selected based on rules related to each of the change categories. Applicant contends that neither Shrader nor Fitzgerald disclose change categories as recited in claim 1. To the extent Shrader does disclose a change category, it probably is the "Category-In-Plan Object" disclosed in column 7 of that reference. The Category-In-Plan Object disclosed in Shrader merely refers to the type of action to be performed by the Application-In-Plan Object; *i.e.*, install or configure the software program (*See* col. 7, lines 65-67). Nowhere does Shrader disclose selecting affected entities based on rules related to each of the change categories as recited in the claim. Fitzgerald does not disclose this limitation either. Thus, for at least the reasons stated above, claim 1 should be allowed over the cited prior art.

With regard to dependent claims 2 and 4-7, Applicant submits that these claims are allowable as being directed to specific novel substitutes, as well as by depending from allowable parent claims.

With regard to independent claims 8, 10 and 12, Applicant submits that they include at least some similar limitations as claim 1, including the limitation of the affected/responsible entities comprise at least one entity other than a system administrator. Again, as mentioned above, neither Shrader nor Fitzgerald, either alone or in combination, disclose this limitation.

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Shrader and Fitzgerald fail to disclose other limitation in independent claims 8, 10 and 12, as discussed above. Therefore, Applicant submits that these claims are allowable over the cited art of record.

With regard to dependent claims 9 and 11, Applicant submits that these claims are allowable as being directed to specific novel substitutes, as well as by depending from allowable parent claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. Accordingly, Applicants respectfully request the Examiner to issue a formal Notice of Allowance as soon as possible.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (303) 607-3500.

Respectfully submitted,

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